

BLD-98

January 10, 2008

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 07-4349

DEVEARL L. BACON

v.

THOMAS L. CARROLL, et al.

(D. Del. Civ. No. 06-cv-00519)

Present: MCKEE, RENDELL and SMITH, Circuit Judges

Submitted is appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1), with memorandum in support in the above-captioned case.

Respectfully,

Clerk

MMW/SR

ORDER

The foregoing request for a certificate of appealability is denied. For substantially the reasons given by the District Court in dismissing Bacon's petition and denying his subsequent motion for reconsideration, reasonable jurists would all agree that the District Court properly dismissed the petition. Slack v. McDaniel, 529 US 473 (2000).



A True Copy

Marcia M. Waldron

Marcia M. Waldron, Clerk

Certified order issued in lieu of mandate.

Dated: March 18, 2008

By the Court,

/s/ Theodore A. McKee
Circuit Judge

ARL/cc: DLB